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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,987	03/31/2004	J. William Whitehart	10541-2004	8178
29074	7590	10/10/2007	EXAMINER	
VISTEON			AZAD, ABUL K	
C/O BRINKS HOFER GILSON & LIONE				
PO BOX 10395			ART UNIT	PAPER NUMBER
CHICAGO, IL 60610			2626	
			MAIL DATE	DELIVERY MODE
			10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/814,987

Applicant(s)

WHIKEHART, J. WILLIAM

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-22 are pending in this Office Action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (US 2001/0049602).

As per claim 1, Walker teaches, “a system for generating an information announcement”, the system comprising:

“a receiver to receive transmission information” (Fig. 1, element 16);

“a text-to-speech generator in communication with the receiver, the text-to-speech generator being configured to receive transmission information from the receiver, select a template from a plurality of predefined templates, and insert portions of the transmission information into the template creating a message” (Paragraphs 0025-0029, here, “predefined templates” is “context rule”).

As per claim 2, Walker teaches, “wherein the text-to-speech generator is configured to randomly select a template from the plurality of predetermined templates” (Paragraph 0028).

As per claim 3, Walker teaches, "wherein the text-to-speech generator is configured to select a template from the plurality of predetermined templates based on a counter" (Paragraph 0033).

As per claim 4, Walker teaches, "wherein the text-to-speech generator is configured to select a template from the plurality of predefined templates based on the transmission information".

As per claim 5, Walker teaches, "wherein the text-to-speech generator is configured to select a template from the plurality of predefined templates based on artist information in the transmission information" (Paragraph 0027, set of rule could be a music context detection rule).

As per claim 6, Walker teaches "wherein the text-to-speech generator is configured to determine if artist information is in the transmission information and to determine if the artist information is plural" (Paragraph 0027).

As per claim 7, Walker teaches, "wherein the transmission information includes next up information, and the text-to-speech generator selects the template based on the next up information" (Paragraph 0032).

As per claim 8, Walker teaches, "wherein the text-to-speech generator is configured to add phrases to the template, where the phrases are associated with the transmission information" (Paragraph 0033).

As per claim 9, Walker teaches, "wherein the phrases are associated with artist information in the transmission information" (Paragraph 0027).

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As per claim 10, Walker teaches, "further comprising an input device, wherein the phrases are user definable via the input device" (Paragraph 0033).

As per claim 11, Walker teaches, "further comprising an audio summer configured to combine the message with a music signal" (Paragraph 0032).

As per claims 12-22, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-11.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patric Edouard**, can be reached at **(571) 272-7603**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450


Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 29, 2007



Abul K. Azad
Primary Examiner
Art Unit 2626